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LEGAL SERVICES COMMISSION

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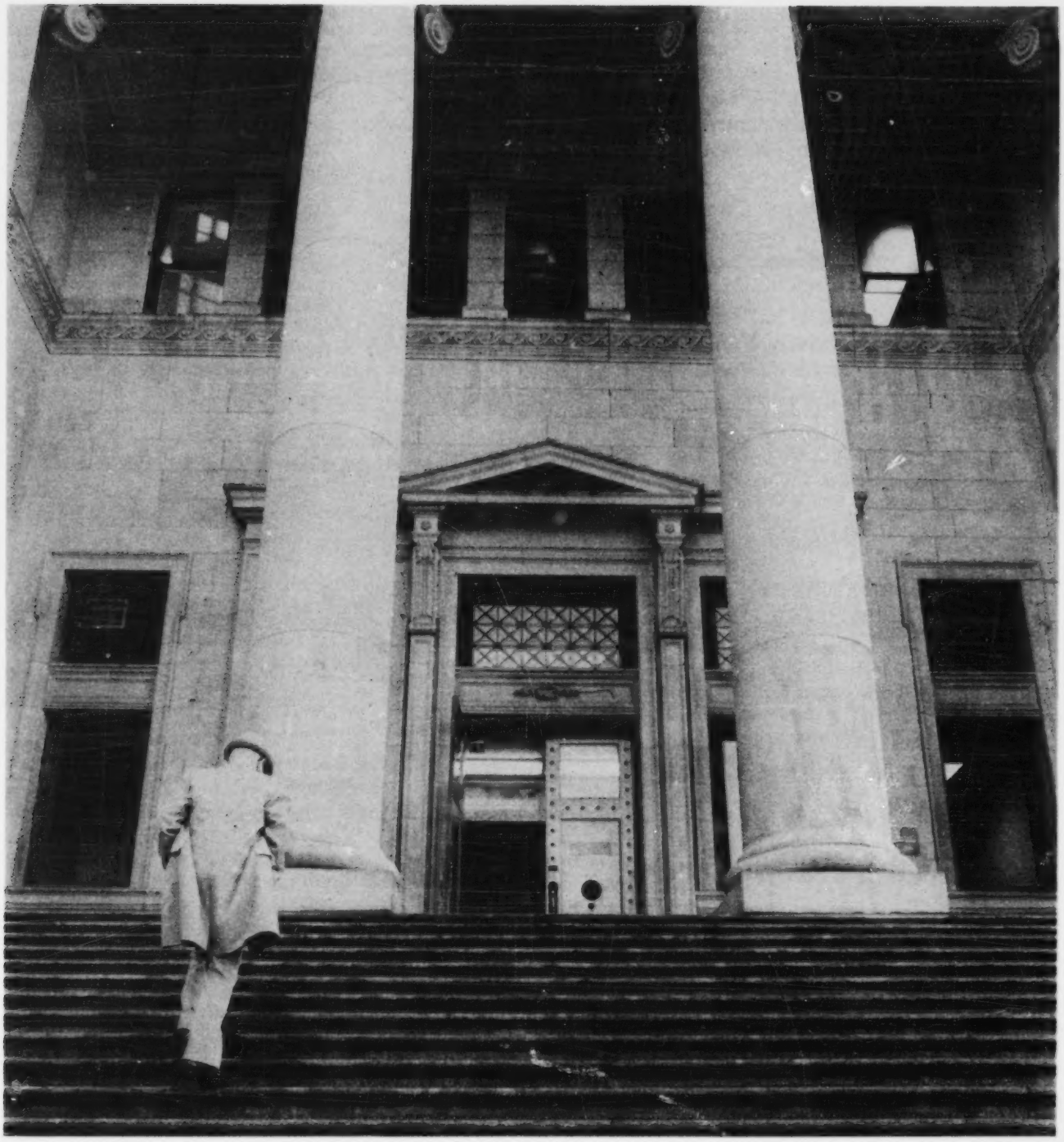

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CHAPTER I

INTRODUCTION

This is the Second Annual Report of the Legal Services Commission. The First Report was for the 1975/1976 operations up to March 31, 1976. This Second Report is for the period April 1, 1976 to March 31, 1977.

The Legal Services Commission was created by the Legal Services Commission Act which was unanimously passed by the British Columbia Legislature in 1975. The purpose of the Commission is set out in Section 3 of the Legal Services Commission Act as follows:

> *"3. The object and purpose of the commission is to see that legal services are effectively provided to, and readily obtainable by, the people of British Columbia, with special emphasis on those people to whom those services are not presently available for financial or other reasons."*

To appreciate the scope of the work carried out by the Commission, it is necessary to understand that the definition of "legal services" in the Legal Services Commission Act includes both the giving of legal services to clients and the providing of education, advice and information about the law. The definition in the Act reads:

> *""legal services: includes*
>
> *(i) education, advice, and information in or about law; and*
> *(ii) any legal service that may be provided by a barrister and solicitor or a notary public;"*

The Commission has concentrated its efforts to try to achieve the objectives of seeing that legal services are provided to the disadvantaged and that the public is provided with education, advice and information concerning the law. Advances toward these goals have been made within budget restrictions. This Report sets out what has been done with respect to the Commission's mandate. Two of the main headings in the Report are:

(1) DIRECT LEGAL SERVICES and
(2) INDIRECT LEGAL SERVICES

These are roughly equivalent to the two dominant goals of (1) legal services to the disadvantaged, and (2) education, advice and information concerning the law.

To achieve these general objectives, the Act provides for specific functions of the Commission. These include planning for legal services, consulting interested persons, providing funds for organizations that give legal services to the disadvantaged, research, promoting experimental programmes, co-operating with educational institutions with respect to training of persons who provide legal services, and providing information to the public as to the availability of legal services. These duties are stated in Section 7 of the Act, as follows:

> *"7. It is the function of the commission*
>
> *(a) to plan the development of legal services in the Province;*
> *(b) to consult with local and regional governments, educational institutions, community, neighbourhood, professional, and other groups having an interest in any aspect of the provision of legal services;*
> *(c) to promote, establish, finance, and supervise research respecting legal services within the Province and to provide a programme of continuing evaluation of existing and proposed programmes and projects for the provision of legal services;*
> *(d) to provide financial and other assistance to persons or organizations for the operation of programmes and projects for the provision of legal services on such terms and conditions as the commission considers appropriate;*
> *(e) to develop and co-operate in experimental programmes and projects respecting any aspect of the provision of legal services, and for those purposes, to employ staff necessary to initiate, develop, and operate the programmes and projects;*
> *(f) to receive and encourage proposals from the public for new programmes and projects;*
> *(g) to co-operate with educational institutions, the Law Society of British Columbia, the British Columbia Branch of the Canadian Bar Association, The Society of Notaries Public and other persons respecting the education and training of persons providing legal services in the Province; and*
> *(h) to provide information to the public respecting the availability of legal services."*

The Legal Services Commission Act provides for the appointment of five commissioners. Two are appointed by the Provincial Cabinet, two by the Law Society of British Columbia, and one by the Provincial Attorney-General after consultation with the Federal Minister of Justice. The initial appointments were as follows:

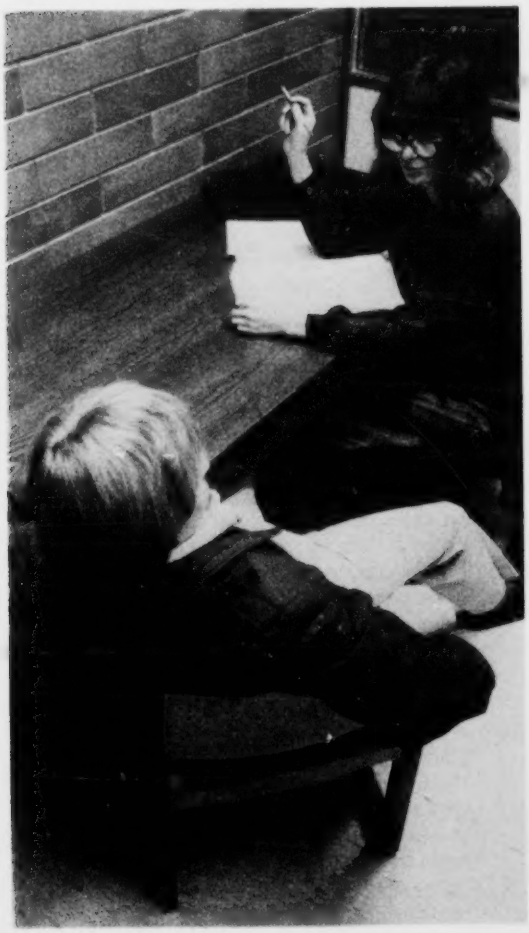
Commissioner	Appointed By
Mr. Donald E. Jabour	Attorney-General
Mrs. Helen M. Jones	Provincial Cabinet
Dr. Walter D. Young	Provincial Cabinet
Mr. Peter A. Manson	Law Society
Mr. Cecil O. Branson	Law Society

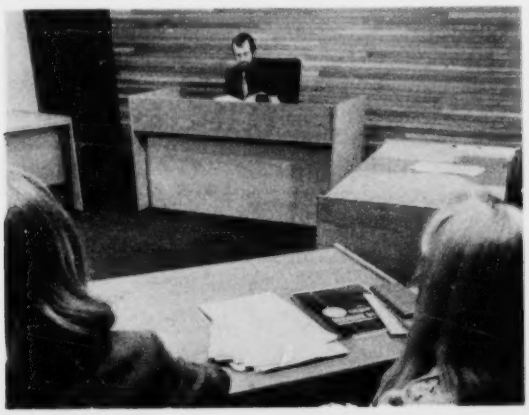
Also, Chief Joe Mathias is a consultant to the Commission.

There were two changes prior to March 31, 1977 consequent upon the retirement of Commissioners Mr. Cecil Branson and Dr. Walter Young. The replacement appointments were:

Commissioner	Appointed By
Mr. Duncan W. Shaw	Law Society, December, 1976
Mr. W.J. (Bae) Wallace, Q.C.	Provincial Cabinet, February, 1977

In addition, Mr. Jack Kent was appointed Executive Director of the Commission as of January 1, 1977.





A. Legal Aid Society

The Legal Aid Society is the major organization that is funded by the Legal Services Commission. It operates fourteen full time offices around the Province. Each office is staffed by at least two lawyers and a secretary; additional staffing in high density areas brings the total component to thirty-three full time lawyers and forty non-lawyer support staff.

The offices are located at Campbell River, Kamloops, Nelson, Prince Rupert, Victoria, Chilliwack, Kelowna, New Westminster, Surrey, Williams Lake, Cranbrook, Prince George, Vancouver and Nanaimo.

The Legal Aid Society also retains private lawyers and para-professionals in sixteen other locations to act as Area Directors, receiving applications, determining eligibility and referring cases to lawyers in their areas. The Area Directors are located in Dawson Creek, Duncan, Fort Nelson, Pemberton, Penticton, Powell River, Quesnel, Revelstoke, Richmond, Salmon Arm, Smithers, Squamish, Terrace, Tofino, Vernon and Whitehorse. Last year, approximately seven hundred and fifty private lawyers accepted appointments to act on behalf of Legal Aid clients.

Services

In criminal matters, legal aid is available to anyone who is financially eligible and is charged with any indictable offence. It is also available for persons charged with any summary conviction offence where there is a substantial likelihood that, if convicted, the person will receive a prison sentence or lose his means of earning a living.

In addition, legal aid is available for proceedings under the *Juvenile Delinquents Act*, the *Extradition Act* and the *Fugitive Offenders Act*.

Most criminal legal aid clients who qualify for assistance are referred to members of the private Bar who are experienced in criminal law. If a client requests a specific lawyer, an effort will be made to have that lawyer appointed, subject to availability. Counsel are paid for their services according to a Provincial tariff schedule.

In family matters such as divorces, custody disputes, annulments and maintenance actions, cases are also referred to members of the private Bar. Again, counsel are paid according to a tariff, distinct from the criminal tariff.

In other civil cases, there is no tariff available to pay lawyers for their services and the Legal Aid Society has attempted to make legal advice and counsel available to applicants in two ways:
1) by encouraging private lawyers to donate their time to such cases, with the Legal Aid Society reimbursing them for out-of-pocket expenses;
2) by assigning these cases to the Legal Aid Society's own full time staff lawyers.

Financial Eligibility

The Legal Aid Society does not use a fixed income cut-off. Instead, a discretionary test is applied: a person qualifies for legal aid when requiring him to pay legal expenses would impair his ability to furnish himself or his family with the essentials necessary to keep them decently fed, clothed, sheltered, and living together as a family unit. Each applicant fills out a form setting out his financial circumstances.

Tariff Programme and Quality of Service

The Legal Aid Society goes through a careful screening process before it accepts any lawyer to its panel. Young lawyers soon develop a high level of competence in the criminal and Family Courts providing good representation for their clients. Further to this, the Legal Aid Society is able to obtain the services of senior counsel in serious cases such as murder, rape, and appeal to the Supreme Court of Canada.

Legal Aid for Family Court Applicants

Prior to 1974 Family Court Applicants were represented by municipal prosecutors pursuant to Section 41 of the Family Relations Act. However, since the Crown Counsel took

over these duties in 1974 they have become increasingly busy with their criminal work and in most cases are now not able to appear in Family Court. As a result, Family Court Applicants, who are usually women seeking maintenance, custody or protection orders are unrepresented in court, while the husband may have a lawyer.

Legal Aid's present tariff does not include representing Family Court Applicants. However, during the Unified Family Court Experiment in Richmond, the government provided funds for Legal Aid to pay for both applicants and respondents. The Berger Commission Report recommended that this procedure be continued and extended to all Family Courts.

It is our recommendation that the Legal Aid Tariff be extended to include lawyers for applicants in family matters before the courts. As the government has not as yet made other provisions for Family Court services to applicants, it is recommended that the government make sufficient funds available for the Legal Aid Family Tariff for this purpose.

Staff Activities

There are many kinds of civil cases which are not within the traditional areas of private practitioners which the Legal Aid Society has developed a particular expertise to handle. These include such matters as welfare appeals, unemployment insurance, workers' compensation and similar proceedings, as well as court matters involving bankruptcy, foreclosure, eviction and similar problems.

Legal Aid staff members also assist in public legal education programmes, in local schools, at public meetings, with private groups, or in the media, as the occasion arises.

This year, being the first in which the Legal Aid Society has had a full staff complement, many offices have begun extending their operations into nearby communities on a part-time basis. The Campbell River office travels to Port Hardy, Bella Coola, Bella Bella, Ocean Falls and staff from this office also holds regular clinics in Courtenay. The Nanaimo office travels to Port Alberni; the Kelowna office offers legal services in Vernon two days a week; while other offices are similarly expanding their scope.

Duty Counsel

The Legal Aid Society retains private lawyers to visit local jails in Vancouver, Burnaby and New Westminster each morning to interview people charged with criminal offences and who are making their first appearance in court that day. They speak on behalf of the accused in court, obtain their release on bail, or speak to sentence in the case of a guilty plea. Approximately two hundred and fifty people are assisted each month in the Vancouver Provincial Court.

Institution Programme

In the Lower Mainland, there are more than five thousand people being held in prisons and psychiatric institutions who need access to legal services. Unique problems frequently exist for these people, and the Legal Aid Society is developing a programme, based in the New Westminster office, to examine and help resolve some of these problems. One full-time staff lawyer and a secretary, plus a number of law students employed part-time, are developing this programme.

Psychiatric Reviews

The Mental Health Act provides for periodic review of inmates' detention in Riverview Hospital. When a person wants a review, the Legal Aid Society will draw upon a panel of volunteer lawyers who agree to act as inmates' nominees in the review hearings.

Drug Conspiracy Trials

The wholesale drug arrests of 1976 threatened to throw the entire Legal Aid system off balance, swamping budget and staff alike with large numbers of accused facing long trials. Original estimates for the cost of the first big conspiracy trials during 1976/1977 ranged up to $1,000,000.00. Fortunately, the actual cost was $275,000.00. The Society was successful in grouping the accused which

made it possible for one lawyer to handle each group rather than having one lawyer for each individual, resulting in a substantial saving in lawyers' costs. Also, there were a number of decisions dealing with wiretap evidence which clarified admissibility and streamlined court procedures. As a consequence, additional savings in court time, lawyers' time and related expenses occurred. And, to further reduce court time, a concerted effort was made to have some issues admitted thus eliminating the need to prove every point.

An Experiment

In one case, encompassing eight accused and scheduled to run one year, an experiment was tried. Defence and Crown were brought together to sort out the issues. In time, a series of guilty pleas were established for some charged, others were dropped, and the trial was eliminated. The guilty pleas were entered, sentences were meted out, and $100,000.00 in legal aid costs alone were saved, independent of the saving to the Province in terms of witness costs, courtroom time and other costs.

Research and Planning

The Vancouver office has staff engaged in research, programme development, and the formulation of recommendations for change in the legal aid system. This group has:

1) Developed a reliable case statistics programme in co-operation with the Justice Information Systems Division of the Ministry of the Attorney-General.

2) Studied a variety of public defender programmes and proposed several alternative experimental projects as well as producing a number of other proposals and recommendations which the Legal Services Commission is presently reviewing.

3) Proposed an experimental duty counsel programme in the Vancouver Juvenile Court.

4) Compared criminal and family law tariffs in British Columbia with those elsewhere in Canada and found that the British Columbia tariffs are the lowest in Canada, and accordingly have recommended an increase of twenty-five percent in the criminal law tariff, and an increase of thirty percent in the family law tariff. They suggest that the Legal Aid Society be given discretion to authorize increased fees in difficult cases as well as distinguishing between fees for senior and junior counsel.

Cost

The cost of running the Legal Aid offices throughout the Province is set out in the following Table A:

TABLE A

COST OF LEGAL AID OFFICES

	1976-1977	1975-1976
Vancouver	$ 431,153.00	$ 452,911.00
Victoria	87,819.00	72,921.00
Nanaimo	76,102.00	54,069.00
Campbell River	95,995.00	84,804.00
New Westminster	136,102.00	104,461.00
Surrey	92,005.00	74,875.00
Chilliwack	73,837.00	63,703.00
Kelowna	81,560.00	83,500.00
Nelson	73,423.00	55,074.00
Cranbrook	68,445.00	67,930.00
Kamloops	86,685.00	71,281.00
Williams Lake	72,640.00	39,617.00
Prince George	89,644.00	87,694.00
Fort St. John	—	384.00
Prince Rupert	67,636.00	25,392.00
TOTAL	$1,533,046.00	$1,338,616.00

The cost of the legal aid tariff (cases handled by lawyers in private practice) is shown in Table B (an overview) and Table C (a detailed breakdown):

TABLE B

LEGAL AID TARIFF OVERVIEW

	1976-1977
Criminal Law	$2,823,195.00
Family Law	883,251.00
Duty Counsel	161,264.00
Area Directors' Honoraria — Civil	12,204.00
Area Directors' Honoraria — Criminal	24,561.00
Civil Disbursements	22,837.00
TOTAL	$3,927,240.00

TABLE C

LEGAL AID TARIFF DETAILED BREAKDOWN

	1976-1977	%	1975-1976	%
Area Directors — Civil	$ 12,204.00	.3	$	
Civil Disbursements	22,837.00	.6	810,231.00	20.0
Family Law Tariff	882,751.00	22.5		
Area Directors — Criminal	24,561.00	.6		
Duty Counsel	161,264.00	4.1	466,938.00	11.5
Transcripts & Miscellaneous	275,357.00	7.0		
Capital Murder	14,843.00	.4	34,058.00	.8
Non-Capital Murder	111,829.00	2.8	54,381.00	1.3
Manslaughter	6,578.00	.2	2,791.00	.1
Rape	54,843.00	1.4	61,219.00	1.5
Narcotics	536,114.00	13.7	475,706.00	11.7
Theft	318,714.00	8.1	406,178.00	10.0
Break and Enter	308,364.00	7.9	207,226.00	6.7
Impaired Driving	194,520.00	5.0	297,391.00	7.3
Assault	194,124.00	5.9	219,280.00	5.4
Possession of Deadly Weapon	80,148.00	2.0	91,278.00	2.3
Robbery	190,933.00	4.9	166,786.00	4.1
Soliciting	11,060.00	.3	49,196.00	1.2
Possession of Stolen Property	119,482.00	3.0	130,666.00	3.2
Other Motor Vehicle Offences	56,846.00	1.4	109,842.00	2.7
Breach of Probation	40,040.00	2.0	50,778.00	1.2
Fraud	64,871.00	1.7	55,443.00	1.4
False Pretences	61,360.00	1.6	59,804.00	1.5
Mischief	27,140.00	.7	43,290.00	1.1
Forgery	22,701.00	.6	24,847.00	.6
Escape from Lawful Custody	40,882.00	1.0	30,268.00	.7
Creating Disturbance	24,237.00	.6	41,539.00	1.0
Wilful Damage	16,815.00	.4	66,649.00	1.6
Threatening	9,864.00	.3	—	—
Failure to Appear	21,051.00	.5	15,340.00	.4
Shoplifting	5,520.00	.1	12,582.00	.3
Obstruction of Justice	15,432.00	.4	17,109.00	.4
Legal Aid Programme	$3,927,240.00	100.0	$4,063,828.00	100.0

B. Community Law Offices

Community Law Offices (CLOs) are administered by incorporated societies, the directors of which live in the communities where the CLOs are located. There are twelve Community Law Offices located around the Province:

- Association for Intervention and Development (Nanaimo)
- Smithers Community Law Centre Society
- Legal Information Service (Maple Ridge)
- Matsqui, Sumas, Abbotsford Community Services Society (Abbotsford)
- Greater Victoria Community Action Group (Victoria)
- Kamloops Civil Liberties Society (Kamloops)
- South Okanagan Civil Liberties Society (Penticton)
- Powell River Civil Liberties Association (Powell River)
- Quesnel Human Rights and Civil Liberties Association (Quesnel)
- Williams Lake Human Rights and Civil Liberties Association (Williams Lake)
- Westminster Community Legal Services Society (New Westminster)
- Vancouver Community Legal Assistance Society (East Vancouver)

CLOs are staffed with para-legals supervised by lawyers. The CLOs are operated by a local board of directors drawn from a cross-section of the community, including former clients, justice service professionals, lawyers and laymen. It is this board that decides on the policy of the Office.

Direct Services to Clients

The CLOs assist local people with summary advice, welfare appeals, workers' compensation, landlord and tenant matters, unemployment insurance, small claims matters, consumer problems, family cases and many other areas of legal need. To get some idea of the scope of problems dealt with by CLOs, look at the following table which sets out the types and numbers of problems dealt with over a six-month period by the Quesnel CLO (Table D):

TABLE D

TYPES OF PROBLEMS AND NUMBERS OF CLIENTS SEEKING SERVICES AT QUESNEL CLO(1) FROM JUNE TO NOVEMBER, 1976

AREA OF SERVICE	JUNE to AUG. 1976	SEPT. to NOV. 1976	TOTAL
Landlord, Tenant	97	117	214
Unemployment Insurance	76	105	181
Court	172	141	313
Consumer	85	106	191
Family	146	172	318
Public Relations	6	9	15
Labour Relations	64	75	139
Debts	30	52	82
Pension	49	29	78
Department of Human Resources	45	109	154
Workers' Compensation	35	25	60
Motor Vehicle	30	42	72
General Information	107	58	165
Customs	1	0	1
Office Administration	91	102	193
Police Complaint	2	1	3
Property	41	30	71
Adoption	8	1	9

TABLE D continued

AREA OF SERVICE	JUNE to AUG. 1976	SEPT. to NOV. 1976	TOTAL
Estate	8	4	12
U.S. Desertion	4	0	4
Discrimination	12	4	16
Delayed Registration of Birth	2	4	6
Patients' Rights	1	0	1
Life Insurance	1	1	2
Grazing Rights	4	0	4
ICBC	14	13	27
Wills	2	0	2
Fishing Rights	3	0	3
Income Tax	4	4	8
Family Allowance	2	9	11
Human Rights	4	4	8
Change of Name	4	7	11
Banking	1	1	2
Taxes	1	0	1
Immigration	3	0	3
Cattle Subsidy	1	0	1
Medical Insurance	9	23	32
Passport	1	0	1
Birth Certificate	6	6	12
Police PR	1	0	1
Mining Rights	0	1	1
Public Education	0	13	13
Dentist Complaint	0	1	1
Emotional	0	1	1
Citizenship	0	1	1
Disability Insurance	0	4	4
Handicapped	0	8	8
Lawyer Complaint	0	7	7
Abortion	0	4	4
Veterans Widows Pension	0	1	1
Erasure of Criminal Record	0	4	4
Upgrading	0	1	1
Doctor Complaint	0	1	1
TOTAL FOR EACH 3 MONTHS	1,173	1,302	
TOTAL FOR 6 MONTHS			2,478

(1) Name of Quesnel CLO is Quesnel Human Rights and Civil Liberties Association.

Indirect Legal Services

The information and educational services offered by the Community Law Offices vary from area to area depending upon local need. Many people who are reluctant to seek legal advice take advantage of special workshops and lectures on different aspects of the law. Thus, people are encouraged to seek information and guidance before their concerns develop into major legal problems.

Many people want basic legal information and their questions are responded to by providing legal information by telephone and the provision of the latest legal information in

booklets, books, pamphlets, brochures and human resources.

These indirect services contribute to the development of an informed and responsible citizenry.

Organizing and Self-Help

Most people want to know how to help themselves; they wish to understand their problem and take part in solving it. One method of self-help is to organize sections of the community to take group action on recurring problems. The CLOs organize self-help projects and assist individuals and community groups in their representations to governmental agencies. Tenants' organizations and welfare groups are organized to understand the legislation involving them. Group programmes to demystify the Court system to ensure better informed witnesses have been developed, along with Small Claims workshops for those interested in preparing their own Small Claims cases.

Consumer Services

In 1975 the Ministry of Consumer and Corporate Affairs operated a number of Consumer offices throughout the Province. These offices handled debt counselling, consumer complaints and general consumer advice and information.

With the cutback in funding in 1976, the Ministry had to close most of its offices. It approached the Legal Services Commission to see if these consumer services could be delivered through the CLOs. As a result, the Ministry of Consumer and Corporate Affairs made a grant of $7,000.00 to eight CLOs for them to handle the counselling and consumer problems. The Community Law Offices which also act as Consumer Service Offices are: Nanaimo, Smithers, Quesnel, Williams Lake, South Okanagan Civil Liberties (Penticton), Maple Ridge, Powell River and Westminster. The Ministry also provides training in consumer law for CLO staff.

The Vancouver Community Legal Assistance Society (VCLAS)

VCLAS is a somewhat unique CLO because, in addition to performing the usual functions of a Community Law Office, the Society supervises the operation of the University of British Columbia Law Students Legal Advice Clinics scattered all over the Lower Mainland. In 1976/1977 there were 17 neighbourhood Legal Advice Clinics in the Vancouver area.

Furthermore, VCLAS provides legal assistance to anyone involved in a legal dispute which raises a legal issue of significance to a class of persons who do not have the financial resources or organizational skills to pursue their case.

VCLAS further offers a resource base for other community offices who draw on staff expertise, training and education skills, and programmes developed.

The Victoria Law Centre: Blueprint for the Future?

One possible blueprint for the future delivery of legal services is presently being tried in Victoria, at the Law Centre. Probably unique in Canada, the Law Centre is a combined service of the Legal Aid Society, Community Action Legal Assistance, the University of Victoria Faculty of Law and School of Social Work.

Staffed by lawyers, para-professionals and social workers, and augmented by eighteen law students from the University of Victoria Faculty of Law who spend a term in the Centre, the Law Centre sees an average of twenty-two people per day and receives calls from another one hundred and thirty for advice and information.

It provides representation for all types of cases, including Provincial and Federal offences, Small Claims actions, Family Court matters, UIC and Workers' Compensation Board Hearings, landlord and tenant disputes, as well as acting for community groups and societies where the group cannot afford the services of a lawyer.

Extensive work has been done in the field of public legal education. In addition to holding workshops for government employees, social workers, penitentiary inmates, women's

groups and environmentalists, the Law Centre has prepared a series of video tapes on Family Court, provided speakers and organizational assistance to the local Law and the Lay People project and assisted with the local Justice Council's Witness Demystification project.

Special Projects of CLOs

(i) INMATE LEGAL SERVICES

Abbotsford, Kamloops, and Victoria CLOs send staff to local correctional institutions to give advice to prisoners on legal problems, sentence computation, parole and family matters.

(ii) DUTY COUNSEL

In centres where there is no legal aid, CLO staff often provide duty counsel services. Duty counsel interview, advise and assist persons who have been changed with criminal offences and are making their first court appearance. In Victoria, the Law Centre provides duty counsel in Juvenile Court as well. In Powell River, the CLO acts as the Area Director for Legal Aid, approving applications and assigning cases.

(iii) REMOTE COMMUNITIES

Remote communities are also serviced by established CLOs; staff from the Smithers CLO travel to Hazelton and Moricetown. Covering the Cariboo are staff from the Quesnel and Williams Lake CLOs. The Law Centre in Victoria served Sidney. In addition, ways and means of providing legal services to citizens in remote areas are being studied with new methods being implemented.

The CLO in Action

The Commission has received strong support for CLOs from lawyers, judges, police, social workers, and the general public. As a relatively new phenomenon in British Columbia, the CLOs are constantly evaluated and their method of operation and scope of service are often altered in order to improve their effectiveness.

Cost

The following Table E sets out the cost of the CLOs for the one-year period of this Report to March 31, 1977:

TABLE E

COST OF COMMUNITY LAW OFFICES FROM APRIL 1, 1976 TO MARCH 31, 1977

	1976/1977 (1)
Nanaimo Community Law Office	$ 32,104.00
Smithers Community Law Centre Society	79,405.00
Legal Information Service — Maple Ridge	41,865.00
Matsqui, Sumas, Abbotsford Community Services Society	44,100.00
Greater Victoria Community Action Legal Assistance	97,744.00
Kamloops Civil Liberties Society	56,816.00
South Okanagan Civil Liberties	62,846.00
Powell River Civil Liberties	58,613.00
Quesnel Human Rights and Civil Liberties Association	50,031.00
Williams Lake Human Rights and Civil Liberties Associations	38,828.00
Vancouver Community Legal Assistance Society	40,000.00
Minus One Community Legal Assistance Society (Now Westminster Community Legal Services Society)	64,452.00
Elizabeth Fry Society	64,500.00
TOTAL	$731,304.00

(1) No useful comparison to 1975/1976 is available as most CLOs were not in operation for the whole of the 1975/1976 period.

(... Elizabeth Fry Society

The Elizabeth Fry Society operates courtworker services for women. They organize volunteers to attend Provincial Courts to advise women on their legal problems, court procedures, and the availability of legal aid. The Society covers the Lower Mainland, Fraser Valley, the Okanagan and Kamloops. Full-time courtworkers supervise and train volunteers at each location.

Cost

The cost of the Elizabeth Fry Society is included in Table E on Page 12.

13. Survey of Community Law Offices and Legal Aid Offices — Cui Bono?

In April, 1976, the Legal Services Commission retained the Research Centre of the Attorney-General's Department to conduct a survey of all Legal Aid and Community Law Offices.

The purpose of the survey was to analyze t[illegible] goals and objectives of Legal Aid and the Community Law Offices and determine whether these goals were being achieved. The Research Centre also set out to determine the role of the community boards of directors in the operation of Community Law Offices, and they compared the purposes and services of the Legal Aid and Community Law Office as well as their relationship to each other and to the Legal Services Commission.

The Survey was conducted at a time when the Commission was less than one-year old and when some of the Legal Aid and Community Law Offices had been operating for only a few months. The report of this project, published in October, 1976, was entitled *CUI BONO!*

The main conclusion of the report was that legal services offices should become more involved in transforming social needs into legal rights, and consequently new methods to achieve such goals should be developed. It was felt that legal services should be in the vanguard of reform instead of merely reacting to people's problems.

With due respect to the conclusions of *CUI BONO!*, it is the Commission's view that the greatest need for service lies in the provision of legal services to disadvantaged people as individuals. Seeing that such individual services are provided is a first priority of the Commission.

E. Native Courtworker and Counselling Association of British Columbia

A substantial part of the Commission's funding goes to the Native Courtworker and Counselling Association of British Columbia (the "NCCA"). The NCCA was created to assist Native people who are in conflict with the law.

At the present time, thirty-four Native Courtworkers operate across the Province, from Cranbrook to Lower Post, south of the Yukon, and from Victoria to Fort Nelson. They handle an average of approximately one thousand clients per month, fifty percent of whom would be otherwise unrepresented in Court.

The Native Courtworkers have found that the needs of the accused extend well beyond counselling in Court, and that many of these needs are not being met by other community agencies. In many communities the courtworker is the only service worker known to the Native people. As a result, the worker is called upon to help families and individuals, assisting them with an array of diverse problems.

Courtworkers Activities

Below is Table F which is a statistical breakdown of the percentage of time Courtworkers spend at their various activities:

TABLE F

TIME OF COURTWORKERS SPENT ON THEIR VARIOUS ACTIVITIES — IN PERCENTAGES

	1976					1977		
	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
No. of Courtworkers Reporting	21	24	21	28	31	33	39	35
Percentage of Hours Worked:								
Provincial Court — Adult	22	25	26	24	16	19.5	21	16
Provincial Court — Juvenile	.5	2	2.5	1	2	1	1.5	3
Family Court	1	2	1	1	.5	1	1.5	2
Other Courts	.5	2	.5	.5	.5	2	3.5	5.5
Legal Aid Referrals	2	4	5	4	6	3.5	3.5	3.5
General Counselling & Referral Work	8	13	11	16	14	16	12.5	15
Preparation for Court	3	7	5.5	5.5	4	4.5	N/A	N/A
Alcohol Counselling	2	2	5	3	3.5	3	3	2.5
Probation-Parole-Bail Work	1	3	3	4	2	3.5	3	3
Community Legal Education	1	3	4	1.5	.5	2	1.5	2
Administrative Work	9	12	11	13	17	15.5	16	15
Training-Study	30	2	3	2.5	3	3	4.5	3.5
Travel	10	13	11	11.5	16	11.5	14	14.5
Prison Work	1	2	2	1.5	6	2	1	1
Community Meetings							4.5	4
Resource Agency Meetings							3	3
Meeting with Supervisor							1	2
Visiting in Police Lockup							1	1.5
Other	9	8	9.5	11	9	12	4	3

The Zemens Report

In 1975 Professor Fred Zemens, of the Osgoode Hall Law School, was commissioned to do a study of the courtworker services in British Columbia. This action was taken at the joint request of the Native Courtworkers and Counselling Association and the Legal Services Division of the Attorney-General's Department.

The report gives an excellent history of the development of the Courtworkers Association and a careful analysis of its operation.

It generally praises the Courtworkers for their dedication and achievements and lays out a blueprint for the improvement of their effectiveness.

The Zemens Report recommended the following actions:

1) more community involvement in courtwork and legal services;
2) greater participation by each local community in the recruitment of the courtworkers for their community;
3) improved training and supervision of the courtworkers;
4) improved relations with other justice system personnel, such as R.C.M.P., judges and others;
5) the expansion of the courtworker services into the areas Juvenile and Family Court;
6) expansion into community legal education and preventive law activities;
7) the development of volunteer case aides to provide services when the courtworker is absent;
8) a restriction on the expansion of the courtworkers' role into community and social work or probation;
9) an improvement in quality rather than quantity of services rendered, with an admonition against trying to grow too quickly in too many directions;
10) the tailoring of services to the needs of each community.

The Report also made many recommendations on the subject of organizational and administrative matters.

Some idea of the amount of work carried out by the Native Courtworkers for clients in various areas is given by the following Table G:

TABLE G

NUMBER OF TIMES COURTWORKERS PROVIDED VARIOUS FORMS OF ASSISTANCE FOR THEIR CLIENTS(1)

	1976					1977		
	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
Speaking to sentence	125	105	97	240	138	193	204	142
Interpreter	11	62	91	56	47	13	36	51
Probation Supervision	44	121	112	182	154	136	206	158
Bail Supervision	96	114	49	198	225	192	201	102
Breaching of Bail-Probation	13	28	29	28	41	32	56	31
Referral for Legal Assistance	224	228	226	406	395	429	396	322
Counselling-Interview	246	516	495	800	897	946	967	709
Assistance with Family Court Application	46	9	30	12	13	22	33	98
Referral to:								
a) Human Resources	25	58	57	100	78	69	85	61
b) Employment Services	35	29	70	60	56	50	76	49
c) Alcohol Counsellor	35	29	82	134	126	128	95	48
d) Educational Institution	8	34	31	53	36	51	31	31
Assistance with Civil Problem	34	54	194	135	70	46	155	158

(1) These figures represent the number of times each task is performed for all clients in the month.

Cost

The following Table H shows the revenues and the expenditures of the NCCA for the period April 1, 1976 to March 31, 1977:

TABLE H

STATEMENT OF REVENUE AND EXPENDITURES FOR NCCA FOR YEAR ENDED MARCH 31, 1977

	Legal Services Commission	Alcohol and Drug	Law Foundation	Justice Development	Department of Justice	L.E.P.	Department of Labour	B.C. Regional Advisory Board	TOTAL 1976-1977
REVENUE									
Grants	$770,199	$17,340	$14,435	$7,392	$ 8,000	$29,978	$ 4,751	$5,000	$857,095
Interest	4,116	—	—	—	—	—	—	—	4,116
Miscellaneous	3,653	—	—	—	—	—	—	—	3,653
TOTAL REVENUE	777,968	17,340	14,435	7,392	8,000	29,978	4,751	5,000	864,864
EXPENDITURES									
Salaries and benefits	525,969	12,719	—	6,809	—	27,732	4,784	—	578,013
Travel	99,507	1,221	—	583	789	905	—	—	103,005
Board meetings	22,222	—	—	—	—	—	—	—	22,222
Rent	31,135	1,350	—	—	605	1,151	—	—	34,241
Other expenses	96,837	1,719	14,435	—	9,323	190	46	5,000	127,550
TOTAL EXPENDITURES	775,670	17,009	14,435	7,392	10,717	29,978	4,830	5,000	865,031
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURE	$ 2,298	$ 331	$ Nil	$ Nil	$ (2,717)	$ Nil	$ (79)	$ Nil	$ (167)

F. Native Legal Services

In addition to meeting the needs of Native Indians who appear in court, the Legal Services Commission has instituted a programme of Native Legal Services. To this end community-based legal service offices have been developed. They provide legal services, advice and education in the areas of the legal information most appropriate to Native concerns.

These offices are analogous to the Community Law Offices. They help people with problems encountered daily in the areas of consumer, welfare, and family law; they do casework on civil matters, bring legal education to their communities, and provide assistance to community welfare and citizens' groups. So far, three of these offices have been set up:

a) Nicola Valley Friendship and Counselling Society, Merritt
b) Haida Counselling and Legal Assistance Society, Queen Charlotte Islands
c) Upper Skeena Counselling and Legal Assistance Society, Hazelton

These offices have been funded on the advice and support of the local status and non-status Native organizations. The boards of directors are Native people, as are most of the employees. Each of these offices is supervised by a lawyer.

Legal Information Counsellors at Friendship Centres

Operating in the urban areas, Friendship Centres offer Native people a place to go to help them get oriented when they arrive in a new community. Native Legal Services has funded legal information counsellors in four of these offices:

Smithers
Mission
Port Alberni
Fort St. John

Friendship Centre counsellors provide liaison with the established Community Law Offices, as well as referral and follow-up

service to Provincial and Federal agencies such as welfare, UIC, and probation. They also offer workshops in public legal education on topics of particular interest to Native people.

Courses and Workshops

Several workshops and courses have been offered under the sponsorship of Native Legal Services during the past year. One was held in New Westminster for executive directors and programme directors from all Friendship Centres in British Columbia.

It provided an introduction to the various branches of the justice system, concentrating on services that can be provided through the Legal Services Commission. A similar programme was held in Northwest Community College in Terrace for approximately thirty Band employees, including social workers, welfare aides, administrators, home/school co-ordinators. In other communities workshops have been held on income tax, court procedure, the justice system, human rights, and family law.

Cost

The cost of the Native Legal Services programmes (apart from the NCCA) for the year April 1, 1976 to March 31, 1977 is shown on the following Table I:

TABLE I

NATIVE LEGAL SERVICES PROGRAMMES (EXCLUSIVE OF NCCA) FOR THE YEAR ENDED MARCH 31, 1977

Salaries and Benefits	$ 73,133.00
Travel	15,170.00
*Friendship Centres — Fort St. John	9,755.00
— Mission	8,695.00
— Port Alberni	9,275.00
— Smithers	7,035.00
*Upper Skeena Counselling and Legal Assistance Society	22,120.00
Pacific Association of Communication in Friendship Indian Centres	36,942.00
Nicola Valley Friendship and Counselling Society	62,314.00
Haida Counselling and Legal Assistance Society	88,793.00
Miscellaneous Expenses	898.00
TOTAL	$334,130.00

**Staggered start dates, sum does not reflect the annual operating costs.*

C. Student Programmes

Law Students Legal Advice Programmes

Seventeen Law Students Advice Clinics were run by the University of British Columbia law students and supervised by VCLAS. These clinics operated one night a week in various locations around Vancouver and attended approximately six thousand clients last year, handling all types of inquiries and processing Legal Aid applications. The Legal Aid Society itself refers about two hundred inquiries a month to the clinics. They help clients with a do-it-yourself divorce service and are presently experimenting with a programme for the handicapped, actually making house calls to see clients and handle problems on the spot.

In many areas of Greater Vancouver, this is the only form of legal service for this section of the public that is available locally. During the Commission's public hearings in Vancouver during March, the student clinics received considerable praise from the public.

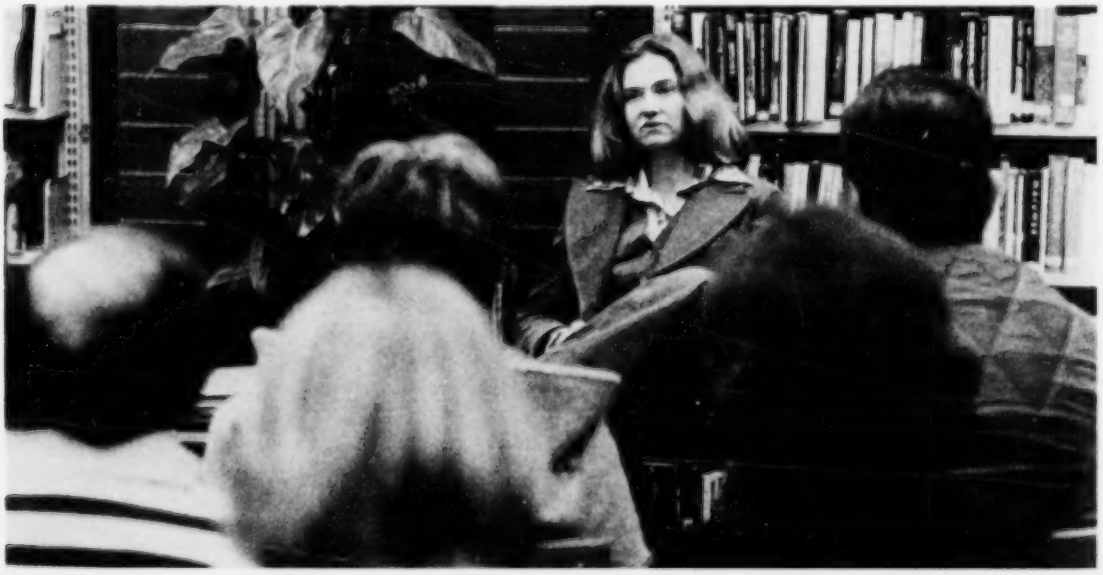
Clinical Law Programmes

The University of British Columbia Law Faculty operates a quasi-law office in which about twenty third-year students spend one term handling cases under the supervision of practising lawyers. The students also hold seminars analyzing these legal services and the practice of law, generally. There is a similar programme at the University of Victoria Law Faculty. While on this programme, the University of Victoria law students assist at the Victoria Law Centre.

Peace River Project

The Commission funded two students, under the direction of Professor Neil Gold and supervised by Don Clancey, a lawyer from Dawson Creek, to travel by van during the summer of 1976 throughout the Peace River District to operate student legal aid clinics. They visited several small communities which had no resident lawyer.

The Fort St. John and Dawson Creek Bar Associations were very enthusiastic about this new legal project, as were local community organizations and the Area Provincial Court Judge. Some community organizations contributed funds to help defray the cost of the experiment, which was $29,000.



As was pointed out in Chapter I of this Report, one of the mandates of the Commission under the Legal Services Commission Act is the provision of "education, advice, and information in or about law."

There are four main areas in which the Commission carries out this mandate: Public Legal Education, Legal Information Services, Training, and the Public Schools' Legal Education Project.

A. Public Legal Education

There is a definite and expressed need for the public to understand the law and the legal system in Canada and to be aware of the legal services available to them. To these ends, the Legal Services Commission funds, takes part in, and co-ordinates a variety of activities which further the aims of public legal education and information — access to and understanding of the law for the purpose of prevention, self-help and citizenship.

Community Law Offices, Community Legal Information Offices, Native Community Legal Offices, Native Legal Information Centres

All of these groups receive funds from the Commission to produce programmes of legal education for the public. Throughout the Province, Community Law Office personnel have produced programmes on Family Law, Immigration Law, Landlord and Tenant, Native Rights, Women and the Law, Taxation and Consumer Law, to name only a few. The audiences range in number from five to three hundred, but the interest is the same; people are anxious to know about law and how it affects them.

Vancouver People's Law School

The Legal Services Commission funds booklet production for this highly regarded organization, copies of which are sent all over the country. Over the past year the People's Law School has distributed 20,576 copies of publications covering a broad range of subjects. Some of the titles available are:

Women and the Law
Divorce and Matrimonial Property
Family Court Procedure
Wills and Estates
Land Transactions
Criminal Procedures
Landlord/Tenant Law
Legal Research
Pollution and the Law
Youth and the Law
Consumer Protection
Small Claims Court Procedure
Labour Law
Canadian Court System
Civil Liberties
Mental Patients and the Law
Immigration Procedure

The Interior Public Legal Awareness Society

This Society holds workshops and education programmes in remote communities around the Interior of the Province, from Quesnel to Merritt, with a head office in Kamloops. The board of directors represents the Kamloops Bar Association, the Cariboo-Thompson-Nicola Library System, the Justice Council, the Civil Liberties Association, and many other agencies.

Over the past year it has conducted, among other activities, a Family Law panel in Merritt; four community law classes at 100 Mile House; five courses offered in co-operation with Cariboo College; four courses in Williams Lake; and, numerous other activities in small and more remote communities where legal services are often inaccessible. The Society has also been developing curricula and producing materials for schools, and works closely with the Library System to distribute information and ensure access to information.

"You and the Law"

This column, produced three times weekly for the *Vancouver Sun*, consists of popularized versions of cases or judicial decisions that are of interest to the public. It has an estimated readership of 200,000.

Ethnic "You and the Law"

Funded jointly by the Law Foundation of British Columbia and the Legal Services Commission, this series of weekly radio broadcasts over CJVB in Chinese and Punjabi covers areas of law of interest to the communities which speak these languages. Transcripts of these programmes are published in the two languages, to be handed out in stores, temples, and gathering places in the respective communities.

Legal Resource Book for Farm and Domestic Workers

The Labour Advocacy and Research Association produced, with the aid of the Commission, the *Legal Resource Book for Farm and Domestic Workers* to inform these unorganized employees of their rights, the contractual arrangements possible with employers, and their responsibilities under the law.

Kamloops Justice Council

The Commission funded a locally produced video-tape on rape, using Kamloops community members as actors — someone who was recognizable, identifiable as a friend, arrested by an identifiable officer for assaulting a friend's wife. This video-tape is for use in the Kamloops area particularly, but it is also available for distribution elsewhere in the Province.

Ombudsman Brochure

The Kelowna District Justice Council requested funds from the Commission to produce a brochure to explain the Ombudsman legislation. The Council distributed this explanatory brochure around the Province.

Rape Relief

The Commission funded a pamphlet produced by the Coalition of Rape Relief Centres to explain to women what to do when they have been raped, how they must react legally and how to defend themselves within the context of the justice system.

Public Legal Education Consultant

A pilot project was funded in the Fraser Valley to assist Community Law Offices, libraries, and community groups wishing to engage in public legal education programmes. The consultant, a librarian with broadcasting experience, was located in Chilliwack. Radio broadcasts were produced, newspaper columns written and booklists prepared by the consultant to inform the public of the legal services of the Abbotsford and Maple Ridge CLOs and the Fraser Valley College and Regional Library.

Publicity for New Westminster PLE Programme

In New Westminster the Commission assisted in publicizing the joint legal education programme of the New Westminster Public Library and Westminster Community Legal Services Society. Posters and newspaper ads were used to inform the public of the lectures on law.

B. Legal Information Services

By working with public libraries, community colleges, CLOs and other organizations and groups in the establishment of collections of legal informational material to be used by the public and by conducting public meetings, lectures and workshops, the Legal Services Commission brings a better understanding of the law to all citizens, particularly as the law affects daily survival.

Libraries

"Libraries constitute an untapped and — except to librarians — a relatively unknown source for providing legal services. They are usually centrally located within the community, and they are fairly accessible to most people . . . Service provided by a library is given without making the person feel that he is accepting charity. There is no humiliation in going to the library." The words are Dean M.L. Friedland's, from a speech to the Institute of Public Administration of Canada in 1974.

One function of Legal Information Services

is to fund libraries, community colleges, and information centres and CLOs to develop public legal collections and offer public access to statutes, regulations and popular materials on the law. These libraries have established legal collections:

Library

Britannia Community Services Centre, Vancouver
Capilano College Library, North Vancouver
Cariboo Thompson Nicola Library System, Kamloops
Fraser Valley Regional Library, Abbotsford
Greater Victoria Public Library, Victoria
Kitimat Public Library, Kitimat
Kootenay Library System Society, Cranbrook
New Westminster Public Library, New Westminster
Okanagan Regional Library, Kelowna
Vancouver Island Regional Library, Nanaimo

The CLO libraries are also public access points for legal materials.

Legal Services Commission Resource Centre

The Resource Centre began as an in-house library for staff use only; however, it is now a public library and distributes thousands of publications every year. The staff of the Resource Centre answers and refers a surprising three thousand queries a year from a public searching for information about the laws that surround and confuse them.

The Resource Centre has a definitive collection of information on legal services, prepaid legal services, public interest law, welfare law, judicare, law for the layman, and training of para-legal staff. It also has a large collection of audio-visual materials on law for the layman . . . video tapes, films, audio tapes, and kits.

The Resource Centre has a large collection of multiple copies of pamphlets, booklets and flyers in law produced by many government departments and private agencies which are distributed all over the Province.

Legal Bibliography Workshops

For personnel in information and referral agencies, libraries, Community Law Offices, colleges, Courthouse libraries, other legal service programmes, and interested groups, eighteen short courses, workshops, or talks were given in 1976/77 in which over 300 people were trained. These short courses trained personnel in the bibliography of law — statutes, regulations, popular texts — and informed and explained to them the legal services available in the community and elsewhere to ensure that they would be accurately informing the public:

Port Hardy — April, 1976
Kelowna — April, 1976
Douglas College — May, 1976
U.B.C. (a three-week summer school course offered under the auspices of the School of Librarianship) — July, 1976
Douglas College (this course met four times to explain legal services and train in legal bibliography) — September, 1976
Association of Women Electors, Victoria — September, 1976
Williams Lake — October, 1976
Greater Vancouver Library Federation — October, 1976
Capilano College — October, 1976
Abbotsford — October, 1976
Powell River — November, 1976
Britannia Community Services Centre — December, 1976
Kootenays, Cranbrook — December, 1976
Victoria — December, 1976
Commission staff programme — January, 1977
Vancouver Status of Women — February, 1977
Greater Vancouver Legal Secretaries Association — February, 1977
Library Association of Alberta (Calgary) — March, 1977
(Under a grant to the Library Association of Alberta from the Government of Alberta.)

Publications and Productions

The following publications, kits, and audio-visual productions were developed by the Commission and by groups funded by the Commission to improve public access to law and legal services:

Resource Centre Acquisition List
B.C. Legislative Digest
A Legal Collection for High School and Other Non-Legal Libraries in British Columbia
Legal Resource Centre Brochure on the functions and programmes of the Resource Centre and other legal service agencies
Small Claims Pamphlets and Manual
A Basic Legal Collection for Barristers and Solicitors in British Columbia — a bibliography
Popular Guide to Legal Research for librarians, legal information counsellors, and the public
Family Law Series

The Commission has produced five pamphlets dealing with various aspects of Family Law: "Marriage is a Contract", "Wife's Protection Act", "Separation", "Co-signed any Loans for your Spouse Lately?" and "Who Owns the Property in your Family?"

Legal Services Commission Newsletter
Common Law for Common Folk
History of Law Slide-Tape
Courtwatchers Manual
UIC Pamphlet
Indian Homemakers Booklet on Coroners
Slide-Tape on the Legal Services Commission
Legal Bibliography Slide-Tape
Casebook for Social Work Students
Legal Service Commission Information Kit

The cost of the Public Legal Education and Information Services programmes for the year April 1, 1976 to March 31, 1977 is shown in the following Table J:

TABLE J

COST OF PUBLIC LEGAL EDUCATION AND INFORMATION PROGRAMMES FOR THE YEAR ENDED MARCH 31, 1977

		1976-1977	
Salaries and Benefits		$101,321.00	
Travel		9,665.00	
Consultants		2,791.00	$113,777.00
INFORMATION			
Statutes		1,860.00	
Public Library Grants		30,590.00	
New Westminster Public Library	500.00		
Vancouver Island Regional Library (Nanaimo)	2,000.00		
Kootenays Library System Society (Cranbrook)	3,100.00		
Greater Victoria Public Library	1,500.00		
Fraser Valley Regional Library (Abbotsford)	2,500.00		
Cariboo Thompson Nicola Library System (Kamloops)	7,000.00		
Capilano College Library (North Vancouver)	3,000.00		
Okanagan Regional Library (Kelowna)	3,000.00		
Britannia Community Centre Society (Vancouver)	1,500.00		
Kitimat Public Library	310.00		
	24,410.00		
Community Law Office Libraries	6,180.00		
Total:	30,590.00		
UBC Legal Bibliography Course		863.00	
Workshops		4,969.00	
Union Catalogue		3,819.00	
Wills, Estate and Government Benefits Handbook		2,034.00	
Legislative Digest		3,015.00	47,150.00
CARRIED FORWARD . . .			$160,927.00

CARRIED FORWARD:			$160,927.00
		1976-1977	
EDUCATION			
Ethnic Programs — General		$ 674.00	
— Chinese		23,039.00	
— Punjabi		3,101.00	
Vancouver Peoples Law School		16,500.00	
Newspaper Column on the Law		100.00	
Media Consultant		750.00	
Interior Public Awareness		30,000.00	
Publications		14,143.00	
UIC Pamphlets	1,222.00		
Homemakers Pamphlets on Coroner's Act	2,850.00		
Folders for Publications and Workshop Kits	710.00		
Commission Slide Tape	1,396.00		
Case Book for Social Workers	40.00		
Legal Bibliography Slide Tape	1,498.00		
Court Watching Brochure	180.00		
Kamloops Production of Rape Video Tape	400.00		
Commission Newsletter	1,462.00		
Family Law Pamphlets	2,249.00		
Total:	14,143.00		
History of the Law		1,166.00	
Labour Advocacy Handbook		1,000.00	
Public Legal Education Projects		15,784.00	
Rape Relief — Booklet — printing, distribution	2,643.00		
LSC Publications — Bibliographies	4,936.00		
LSC Publications — Research Guide	1,911.00		
Publicizing Talks on PLE at New Westminster	500.00		
Audio Visual	5,794.00		
Total:	15,784.00		
Small Claims		1,126.00	107,383.00
Total:			$268,310.00

C. Training

To ensure that all those delivering legal services in Community Law Offices are adequately trained to perform their tasks, the Commission, in co-operation with other agencies, has put on short courses and seminars on substantive law, office procedures, techniques in education in various places around the Province. In 1976 and 1977, the Ministry of Consumer and Corporate Affairs also held training courses in Consumer Law for CLO staff. Also in 1976, the Commission developed a policy statement on training goals and objectives.

STATEMENT OF COMMISSION TRAINING GOALS AND OBJECTIVES:

Purpose

To ensure that all persons engaged in the delivery of legal services to the public receive adequate initial and continuing training. The programme will concern itself mainly with projects funded by the Legal Services Commission, but will include others in related activities as finances and manpower allow. It is not intended that the Commission will necessarily run training programmes itself, but will ensure that necessary programmes are in place and it will require agencies to co-operate so that there are no gaps and no duplications. In certain instances the Commission itself may offer courses.

Basic Training Areas

The Commission will be concerned that personnel working in the delivery of legal services should receive training in the following areas:

a) Basic concepts in law, including history and philosophy.
b) Knowledge of the legal system and the governmental system and the legal services available in British Columbia.
c) Basic skills, e.g., interviewing, budgeting, office management.
d) Working with legal reference materials; terminology.
e) Creation of material for public education.
f) Advocacy training.
g) Procedure before administrative tribunals.
h) Law and governmental reform.
i) Educational skills.
j) Community development skills.
k) Substantive law areas.

The following training programmes, primarily for para-legal staff of Community Law Offices, were held in 1976/77 at a cost of $35,533:

Training Courses 1976/77

Basic Para-legal Staff Training Course, April, 1976
Office Management, October, 1976
Administrative Law, November, 1976
Native Programmes Workshop, November, 1976
Public Legal Education, December, 1976
UIC and Immigration, February, 1977
Juvenile and Family Law, March, 1977
Board Member Workshop, October, 1976
Cui Bono Workshop, February, 1977

The Ministry of Consumer and Corporate Affairs conducted eight seminars in which they trained CLO staff members.

Consumer Law Seminars 1976/77

Kamloops — Fall, 1976
Nanaimo — September, 1976; January, 1977
Victoria — January, 1977
Prince George — January, 1977
Smithers — January, 1977
Vancouver — March, 1977 (two seminars)

In addition to these programmes of training, many of the funded agencies developed training programmes to educate their staff — Native Courtworker and Counselling Association, Elizabeth Fry Society, and the Legal Aid Society of British Columbia.

11 Schools Legal Education Project

Background

The origins of this project stem from an extensive survey in 1974 of the state of legal education programmes in British Columbia secondary schools done under the supervision of Dr. Ron Piters for the Justice Development Commission.

The survey uncovered some discouraging facts such as: a dearth of British Columbia and Canadian legal materials, no pre-service or in-service training programmes for teachers, underqualified teachers, a lack of new programmes and only 25% of graduating students were exposed to the formal Law 11 course. On the other hand, the survey also discovered some encouraging facts: high student interest in certain areas of the law, the determination of teachers to use new material when available and a near unanimous feeling from teachers and students that law was a vital subject for study in the schools.

The survey team made a series of eleven recommendations for action which the Justice Development Commission took to the Ministries of Education and the Attorney-General.

In due course an operating budget within the Legal Services Commission of $75,000.00 was provided along with a supplementary grant of $25,000.00 from the Law Foundation and this resulted in the establishment of the Public Schools Legal Education Project (now called Schools Legal Education Project) with the intent of carrying out the recommendations through the development of appropriate programmes.

The Project began in September, 1975. The first four months were spent drawing up a Programme Design, establishing contact with various individuals and support groups and organizing a number of field activities.

Law education in the schools has come a long way since the Justice Development Commission's survey of Law 11 back in 1974. Under the aegis of the Legal Services Commission's Schools Legal Education Project, teacher training programmes have been established, a tremendous diversity of law education projects have been undertaken from elementary through grade 12 and a newsletter published to keep those who are interested informed of developments around the Province.

Goals, Objectives and Methods

The goal of the Law in the Schools Project is to increase the quality and quantity of legal education in British Columbia schools.

An indication of the progress that has been made can be seen from the following statistical summary for the nineteen months of the Project's operation. The Law in the Schools Project has:

1) directly involved 950 students in projects and workshops;
2) directly involved 2,426 students in Courtwatching programmes;
3) directly involved 1,171 teachers in workshops, seminars and conferences;
4) distributed approximately 6,200 copies of its publications;
5) mailed out more than 10,000 copies of its newsletters.

Why teach law to the young people in our schools? To function effectively as citizens, it is important that they:

1) understand the concepts underlying the rule of law and to appreciate why it is a desirable system under which to live
2) be able to deal with their society's institutions (schools, governments, agencies);
3) be able to deal with their personal lives (family, community, employment, financial commitments);
4) understand Canada (its history, government, people);
5) understand the world (human rights and responsibilities, other systems, international law, the United Nations).

Thus, in many subject areas — Social Studies, Canadian Studies, Commerce, Science, English and Law — the Project has developed legal education programmes.

These programmes have dealt with the "traditional" areas of law studies: Contracts, Torts, History and Constitutional Law. They have also dealt with areas of the law that provide insights into some of the major issues of the day. A partial listing: poverty law, children's rights, environmental law, labour law, human rights, international law, courtwatching and the law as it pertains to women, Natives and youth.

In exploring these topics, teachers have been encouraged to attempt a variety of teaching methods. Moving away from the traditional lecture/discussion method, the Project has developed materials and assisted teachers in developing programmes using the following approaches and techniques:

Audio/visual
Courtwatching
Community Involvement
Case Studies
Simulation games
Mock trials
Prison visits
Guest speakers

plus diagrams, charts, posters, cartoons and extensive print.

Teacher Development

During the first two years of the Project, a summer course, combining substantive law with teaching methodology was offered at the University of Victoria. The Faculties of Law and Education combined to offer a course which provided teachers with up-dated background material in expanding areas of law such as consumer law and family law, as well as a refresher course in the more traditional areas like criminal law. In the second year, the course was accredited as a Masters of Education degree course.

Besides the University of Victoria course, a large number of workshops have been held around the Province for teachers in each region. For example, to name just a few: a Labour and the Law workshop was held for forty-seven teachers in Vancouver; a workshop for teachers in Richmond and New Westminster was held at the University of British Columbia; a teacher-judge workshop-liaison was conducted in Surrey; professional development workshops were held throughout the year at Burnaby, Mission, Duncan and Salmon Arm. Some 1,171 teachers have attended project workshops.

Teaching Material

Starting virtually from nothing, the Legal Services Commission has funded an entire collection of teaching aids and materials, ranging from posters through case law texts to slide/tape shows on a wide range of subjects.

The Legal Services Commission has produced a number of publications on the law suitable for classroom use in Law, Social Studies, Economics, Commerce, Science (environmental) and Canadian Studies. Some of these publications are:

- Legal Casebooks I & II
- Legal Concepts through Puppetry
- The Child in Society: Care or Custody?
- The Criminal Justice System: Arrest to Sentencing
- Poverty and the Law
- Children's Rights
- Youth and the Law Handbook
- Family Law
- Environmental Law
- The Retrial of Louis Riel
- The Law Game
- These are the Reasons (Labour Law)

Courtwatching

Two Courtwatching programmes sponsored by the Commission are now in operation, one on the Lower Mainland and the other in Victoria. The programmes provide teachers with a contact law student from the University of British Columbia or the University of Victoria who makes courtroom arrangements, acts as a guide during the visit, and may visit the classroom for follow-up discussions. A manual provides explanations of the personnel and procedures observed by the students. Where possible, discussions between students and court personnel, lawyers and judges are arranged.

So far, 2,426 students in schools in the Lower Mainland and Fraser Valley and Greater Victoria have participated in this programme.

Cost

The cost of the Law in the Schools programme for the period April 1, 1976 to March 31, 1977 is set out in the following Table K:

TABLE K

COST OF THE LAW IN THE SCHOOLS PROGRAMME
FOR THE YEAR ENDED MARCH 31, 1977

Salaries and Benefits	$ 57,164.00
Travel	1,816.00
Courtwatching	2,654.00
Newsletter	1,015.00
Curriculum Development	36,447.00
Consultants	1,254.00
Reports	2,039.00
Workshops	7,782.00
Classroom Teaching and Learning Aids	31,710.00
Slide Presentation	2,883.00
University of Victoria Law Course	3,750.00
TOTAL	$148,514.00

The Legal Services Commission Act requires the Commission "to consult with . . . community, neighbourhood, professional, and other groups having an interest in any aspect of the provision of legal services" and "to receive and encourage proposals from the public for new programs and projects."

Accordingly, in March and April of 1977 the Legal Services Commission held a series of 17 community hearings in the Lower Mainland. The purpose of the hearings was to examine the adequacy of legal services in the Greater Vancouver area.

This was the first time that any authoritative body had issued a general invitation to the public to submit its views on this topic.

The Questions

The Commission enquired into five main areas:

1) Are there people who are not receiving legal services?
2) Are there services that are needed but are not readily available?
3) Are there legal services that need not be delivered by lawyers?
4) How can the metropolitan areas of Vancouver best be served?
5) What problems are there in the availability and delivery of legal aid?

The Response

The hearings were publicized in all Lower Mainland newspapers and on radio and TV. The Commission wrote to 1,500 groups and individuals seeking their participation. Commission Counsel met as many groups as possible in order to encourage submissions.

In the end, over 130 briefs were received. An average of 40 to 50 people attended each hearing. Some were telecast; others were broadcast on radio.

The Commission heard from senior citizens in the West End, immigrants in Cedar Cottage, prisoners in Burnaby, students in Kitsilano, farmers in North Delta, women's groups in Vancouver, civic electors in Richmond, tenants in Vancouver East, and many others.

Finally, at the Hotel Vancouver we heard from 40 provincial organizations, such as the Vancouver Status of Women, the Legal Aid Society, the B.C. Association of Social Workers, the Community Service Committee of the Vancouver City Council, the Canadian Bar Association, and the B.C. Federation of Labour.

The topics most often raised before us were: access to legal information, public legal education, women and Family Court, the problems of immigrants, lawyers' services, legal aid coverage, community services, services by para-professionals, senior citizens' needs, juveniles, and victims of crime. Significantly, many of the same points were made by different groups from different sections of the city.

The Commission sought these opinions in order to help it plan the development of legal services in British Columbia generally and in the Lower Mainland specifically. As the Commission develops its plans and budgets for the coming years, the information obtained at the hearings will be of considerable use. The Commission is issuing a separate report on these public hearings.

APPENDIX A

The Commission is required by Section 14 of the Legal Services Commission Act to include in this Report an audited financial statement for the preceding fiscal year. Such a statement is set out in Appendix A to this Report.

The Act also requires the Commission to submit a draft budget for the next fiscal year. A synopsis of this draft budget for the year April 1, 1977 to March 31, 1978 is set out as Appendix B to this Report.

AUDITED FINANCIAL STATEMENT FOR PRECEDING YEAR

AUDITOR'S REPORT

To the Lieutenant-Governor in Council:

I have examined the statement of financial position of the Legal Services Commission as at March 31, 1977 and the statement of income and expenditure for the year then ended. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as I considered necessary in the circumstances.

In my opinion, these financial statements present fairly the financial position of the Commission as at March 31, 1977 and the results of its operations for the year then ended in accordance with generally accepted accounting principles which, except for the changes relating to amortization of fixed assets, allocations of certain expenses and refundable surpluses as referred to in Notes 2, 3 and 4, have been applied on a basis consistent with that of the preceding seven month period.

K.M. Lightbody, C.A.
Acting Comptroller-General

Victoria, British Columbia
July 8, 1977

LEGAL SERVICES COMMISSION

Notes to the Financial Statements

March 31, 1977

1. The Legal Services Commission was established as a corporation pursuant to the Legal Services Commission Act, S.B.C. 1975 (1st session), Chapter 36, assented to June 18, 1975. The Act was proclaimed to be in force on August 1, 1975 by B.C. Regulation 520/75.

An Order-in-Council of August 14, 1975 appointed the five commissioners, and the Commission officially commenced operations on September 1, 1975.

In accordance with the Act, the object and purpose of the Commission is to see that legal services are effectively provided to, and readily obtainable by, the people of British Columbia, with special emphasis on those people to whom those services are not presently available for financial or other reasons.

2. Fixed assets of the Commission are amortized over 5 years, on a flat rate basis. No amortization of fixed assets was provided for during the initial partial fiscal period ended March 31, 1976.

	1977			1976
Office	Cost	Amortization	Net Book Value	Book Value
Equipment	$24,589	$4,917	$19,672	$3,434
Library	12,960	2,592	10,368	5,502

3. During the year ended March 31, 1977 the Commission has allocated to projects certain expenses that were allocated to administration during the previous fiscal period. The expenses involved include salaries, employee benefits, consultants, video and radio service, and travel. The comparative figures for the previous seven month fiscal period have not been adjusted to reflect this change.

4. Under the terms of the contract between the Legal Services Commission and the Community Law Offices and other Societies, any surplus accumulated by the grantees from the funds paid by the Commission as at March 31, 1977 is refundable to the Commission. A provision of $100,000 has been recorded to reflect these refundable surpluses as at March 31, 1977. No provision was recorded for the seven month period ended March 31, 1976.

LEGAL SERVICES COMMISSION

Statement of Financial Position

As at March 31, 1977 *(with comparative figures as at March 31, 1976)*

		1977	1976
Assets			
Cash and term deposits		$ 687,013	$ 539,038
Accounts receivable		7,867	4,154
Provision for recoveries from projects (note 4)		100,000	—
Fixed assets (note 2)			
Office Equipment		19,672	3,434
Library		10,368	5,502
		$ 824,920	$ 552,128
Liabilities and Surplus			
Accounts payable		$ 41,300	$ 51,801
Surplus			
Beginning of year	$ 500,327		
Excess of income over expenditure for the year	283,293	783,620	500,327
		$ 824,920	$ 552,128

Approved by the Commission:

D.E. Jabour — Chairman

The four accompanying notes are an integral part of these financial statements.

LEGAL SERVICES COMMISSION

Statement of Income and Expenditure

For the Year Ended March 31, 1977

(with comparative figures for the seven months ended March 31, 1976)

	1977	1976
Income		
Province of British Columbia	$7,172,470	$1,551,746
Government of Canada	300,000	—
Law Foundation of British Columbia	106,439	194,590
Transfer from Legal Services Division, Department of Attorney-General	—	38,806
Investment Income	55,538	16,141
	7,634,447	1,801,283
Expenditure		
Project Funding:		
Legal Aid Society — operating grants	921,200	330,000
Legal Aid Society — tariffs	3,927,318	—
Native Courtworker and Counselling Association	750,000	21,449
Projects (Schedule 1)	1,606,073	539,115
Recoveries from Projects (note 4)	(100,000)	—
Total Project Funding	7,104,591	890,564
Administration:		
Salaries	120,492	179,335
Employee Benefits	5,225	6,727
Commissioners' Fees and Expenses	32,315	43,095
Consulting	8,244	99,924
Travel and Conference	78	22,131
Video and Radio Services	—	15,159
Equipment Rental and Maintenance	10,821	14,494
Office Supplies and Expense	15,217	12,249
Office Maintenance and Improvements	5,018	9,177
Books and Periodicals	7,213	3,343
Printing	9,813	3,189
Advertising	6,443	1,569
Memberships	615	—
Rent	17,286	—
Insurance	273	—
Amortization	7,510	—
Total Administration	246,563	410,392
Total Expenditure	7,351,154	1,300,956
Excess of Income Over Expenditure	$ 283,293	$ 500,327

LEGAL SERVICES COMMISSION

Schedule 1

Projects

For the Year Ended March 31, 1977

(with comparative figures for the seven months ended March 31, 1976)

	1977	1976
Community Law Offices		
Nanaimo Community Law Office	$ 32,104	$ 35,597
Smithers Community Law Centre Society	79,405	—
Legal Information Service — Maple Ridge	41,865	11,637
Matsqui, Sumas, Abbotsford Community Services Society	44,100	25,474
Greater Victoria Community Action Legal Assistance	97,744	45,660
Kamloops Civil Liberties Society	56,816	15,897
South Okanagan Civil Liberties	62,846	15,918
Powell River Civil Liberties	58,613	15,370
Quesnel Human Rights and Civil Liberties Association	50,031	12,960
Williams Lake Human Rights and Civil Liberties Associations	38,828	24,268
Vancouver Community Legal Assistance Society	40,000	64,380
Minus One Community Legal Assistance Society	64,452	25,965
Elizabeth Fry Society	64,500	—
B.C. Civil Liberties	—	8,988
	731,304	302,114
Public Schools		
Salaries and Benefits	$ 57,164	
Travel	1,816	
Court Watching	2,654	$ 796
Newsletter	1,015	1,018
Curriculum Development	36,447	1,936
Consultants	1,254	
Reports	2,039	
Workshops	7,782	
Classroom Teaching and Learning Aids	31,710	32,272
Slide Presentation	2,883	
University of Victoria Law Course	3,750	
Other Projects		28,744
	148,514	64,766
Information, Education and Training		
Salaries and Benefits	$ 101,321	
Travel	9,665	
Consultants	2,791	
	113,777	—
Information		
Statutes	1,860	
Public Library Grants	30,590	$ 25,000
U.B.C. Legal Bibliography	863	1,672
Workshops	4,969	

Union Catalogue	3,819	
Wills, Estate and Government Benefits Handbook	2,034	
Legislative Digest	3,015	
	47,150	26,672
Education		
Ethnic Programs — General	674	124
— Chinese	23,039	
— Punjabi	3,101	
Vancouver Peoples Law School	16,500	5,000
Newspaper Column on the Law	100	
Media Consultant	750	
Interior Public Awareness	30,000	29,505
Publications	14,143	
History of the Law	1,166	
Labour Advocacy Handbook	1,000	
Public Legal Education Projects	15,784	
Small Claims	1,126	
	107,383	34,629
Training		
Training and Workshops — Community Law Offices	35,533	13,108
	303,843	74,409
Native Programs		
Salaries and Benefits	$ 73,133	
Travel	15,170	
Friendship Centres — Fort St. John	9,755	
— Mission	8,695	
— Port Alberni	9,275	
— Smithers	7,035	
Upper Skeena Counselling and Legal Assistance Society	22,120	
P.A.C.I.F.I.C.	36,942	$ 15,041
Nicola Valley Friendship and Counselling Society	62,314	30,452
Haida Counselling and Legal Association	88,793	25,274
Miscellaneous Expenses	898	
	334,130	70,767
Other Projects		
Public Hearings	$ 31,488	
Workshops for Community Law Offices Boards	7,198	
National Information Bank	1,500	
Research	12,497	
West Coast Environmental Law Association	5,000	
University of Victoria — Summer Students	17,000	
University of British Columbia — Summer Students	12,000	
Miscellaneous	1,599	
Native Task Force		$ 27,059
	88,282	27,059
Total Projects	$1,606,073	$ 539,115

DRAFT BUDGET FOR 1977-1978

LEGAL SERVICES COMMISSION

1977-78 Budget Proposal

	Basic Budget 77-78	Additional Proposals	TOTAL
ADMINISTRATION	379,538.00	88,795.00	470,636.00
COMMISSIONERS	38,000.00		38,000.00
Sub Total	417,538.00	88,795.00	508,636.00
PROJECTS			
Public Schools	118,760.00	17,200.00	135,960.00
Public Legal Education	288,047.00	9,250.00	297,297.00
Legal Information Service	47,175.00	13,000.00	60,175.00
Training	13,650.00	24,100.00	37,750.00
Native Programs — Travel	19,800.00		19,800.00
— Offices	343,555.00	101,000.00	444,555.00
LEGAL AID	6,978,172.00		6,978,172.00
NATIVE COURTWORKERS	857,088.00		857,088.00
COMMUNITY LAW OFFICES	946,419.00	64,092.00	1,010,511.00
EXTRA PROJECTS	50,000.00	550,000.00	600,000.00
TOTAL BUDGET	10,080,204.00	867,437.00	10,949,944.00
Contingency on Salary @ 8%			
Administration			22,966.00
Offices & Divisions			211,694.00
TOTAL			234,660.00

Lithographed in Canada by Broadway Printers, Vancouver